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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 05-2933

DEMETRIUS BAILEY,

Appellant

v.

CO I MARANO; CO MEGA; JOHNSON; CAPT. FORD; LT. BURNS;
BEN ANSELL; CO I WORTSELL; CAPT. MUCCINO; M. J. MATTHEWS;
MR. WARMAN; CONNER BLAINE; ROBERT BITNER; DR. KELLY;
SUE TURNER; T. D. JACKSON; MR. STOWITZKY; MR. ROSSI;
MR. DITTSWORTH; MR. HEWITT; LT. TUSTIN; RAYMOND STEWART;
CO I ABEREGG; MAJ. HASSETT; LT. FORTE; MR. MCCRAE;
MR. SPARBANIE; LT. GRAINEY; CO I VENOM; CAPT. LANTZ;
MR. SEIVERLING; CO I KOVALCHUK

On Appeal From the United States District Court
For the Western District of Pennsylvania
(D.C. Civ. No. 00-cv-00325)
District Judge: Honorable Arthur J. Schwab

Submitted Under Third Circuit LAR 34.1(a)
January 6, 2006

BEFORE: McKEE, FUENTES and NYGAARD, CIRCUIT JUDGES

JUDGMENT

This cause came on to be heard on the record from the United States District Court

for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a). On consideration whereof, it is now here

ORDERED AND ADJUDGED by this court that the judgment of the district court entered May 3, 2005, be and the same is hereby affirmed. Costs taxed against the appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

Marvin M. Waldron

Clerk

DATED: January 9, 2006

Certified as a true copy and issued in lieu
of a formal mandate on 1/31/06
Marvin M. Waldron
Teste:
Clerk, U.S. Court of Appeals for the Third Circuit